UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
CARMEN M. SEGARRA,	x :
Plaintiff,	: : : ECF CASE
v. FEDERAL RESERVE BANK OF	: : 13-CV-07173 (RA) :
NEW YORK, MICHAEL SILVA, MICHAEL KOH, and JOHNATHON KIM,	: :
Defendants.	: :
	43.

<u>DECLARATION OF DAVID GROSS IN SUPPORT OF DEFENDANTS'</u> <u>MOTION TO DISMISS THE AMENDED COMPLAINT</u>

Pursuant to 28 U.S.C. § 1746, DAVID GROSS declares as follows:

- 1. I am an attorney admitted to practice before this Court and am currently employed by the Federal Reserve Bank of New York in the Enforcement, Litigation, and Investigations Division of the Legal Department, where my title is Counsel and Vice President.
- 2. Attached hereto as Exhibit A is a true and correct copy of "SR 08-8," an advisory letter published by the Board of Governors of the Federal Reserve System dated October 16, 2008.
- 3. Attached hereto as Exhibit B is a true and correct excerpt from the Board of Governors' website entitled "About SR Letters," available at http://www.federalreserve.gov/bankinforeg/srletters/about.htm.
- 4. Attached hereto as Exhibit C is a true and correct copy of Goldman Sachs's "Code of Business Conduct and Ethics," available at http://www.goldmansachs.com/investor-relations/corporate-governance/corporate-governance-documents/revise-code-of-conduct.pdf.

- 5. Attached hereto as Exhibit D is a true and correct copy of Goldman Sachs's "Report of the Business Standards Committee," available at http://www.goldmansachs.com/who-we-are/business-standards/committee-report/business-standards-committee-report-pdf.pdf.
- 6. Attached hereto as Exhibit E are true and correct copies of letters that I wrote to the Court on October 10, 2013 and October 11, 2013, respectively.
- 7. Attached hereto as Exhibit F is a true and correct copy of the Operations Review Report, Federal Reserve Bank of New York, Bank Supervision Group, dated December 2009, available at http://fcic-static.law.stanford.edu/cdn_media/fcic-testimony/2009_FRBNY__
 Operations_ Review_Report.pdf.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 3, 2014 New York, New York

David Gross